

United States District Court

for the

Western District of New York

United States of America

Case No. 22-MJ-658

v.

MOHAMMAD JAHED UDDIN,

Defendant

CRIMINAL COMPLAINT

I, CHRISTOPHER TOSCANO, the complainant in this case, state that the following is true to the best of my knowledge and belief: That between in or about August 2, 2022 through August 18, 2022, in the Western District of New York and elsewhere, the defendant, MOHAMMED JAHED UDDIN:

- (a) using a means and facility of interstate and foreign commerce, did knowingly attempt to persuade, induce, and entice an individual who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b); and
- (b) using a means and facility of interstate and foreign commerce, did knowingly attempt to persuade, induce, and entice an individual who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, in violation of Title 18, United States Code, Section 2251(a).

SEE ATTACHED AFFIDAVIT OF TASK FORCE OFFICER CHRISTOPHER TOSCANO, F.B.I.

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Affidavit and Criminal Complaint submitted electronically by email in .pdf format. Oath administered, and contents and signature, attested to me as true and accurate telephonically pursuant to Fed.R.Crim. P. 4.1 and 4(d) on:

Date: — August 18, 2022
City and State: Rochester, New York



Complainant's signature

CHRISTOPHER TOSCANO, Task Force Officer, FBI

Printed name and title



Judge's signature

MARK W. PEDERSEN
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:
CITY OF ROCHESTER)

CHRISTOPHER TOSCANO, being duly sworn, deposes and states as follows:

1. I have been employed as a Deputy with the Monroe County Sheriff's Office since 2012 and am currently assigned as a Task Force Officer with the FBI's Child Exploitation Task Force. I have been a member of the Child Exploitation Task Force since March of 2017. In my position, I am responsible for investigating crimes involving child exploitation and child pornography, including the production, distribution, receipt and possession of child pornography, as well as the enticement of minors, in violation of Title 18, United States Code, Sections 2251, 2252A, and 2422.

2. This affidavit is submitted in support of a criminal complaint alleging that MOHAMMED JAHED UDDIN (hereinafter "UDDIN"), born XX/XX/1987, using a means of interstate or foreign commerce, did knowingly attempt to persuade, induce and entice an individual who had not attained the age of 18, to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b), and did knowingly attempt to employ, use, persuade, induce and entice a minor to engage in, with the intent that such minor engage in, sexually explicit conduct for the purpose of producing a visual depiction of such conduct, in violation of Title 18, United States Code, Section 2251(a).

3. The information contained in this affidavit is based upon my personal knowledge and investigation of this matter, conversations with other law enforcement officers and witnesses, and my review of documents and records.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause to support a criminal complaint, I have not included every fact known to me concerning this investigation. I have set forth the facts that I believe are necessary to establish probable cause to believe that UDDIN knowingly violated Title 18, United States Code, Section 2422(b) (Attempted Enticement of a Minor), and Title 18, United States Code, Section 2251(a) (Attempted Production of Child Pornography).

5. On August 2, 2022, an undercover FBI Task Force Officer (the UC) was investigating a certain social media application in an attempt to detect individuals using the application to exploit minors. The UC account portrayed the UC as a 13-year-old girl. On August 2, the UC received a direct message from username "ujahed86," display name "Jahed," stating "Hi." The UC responded to the message and engaged in conversation with ujahed86. During the initial conversation the UC directly told ujahed86 that the UC was a 13-year-old minor. Despite being directly advised that the UC was a minor, ujahed86 continued to communicate with the UC and shared that he was 35 years old and lived in Buffalo, NY.

6. Despite being told (on more than one occasion) that the UC was a minor, ujahed86 continued to communicate with the UC, and ultimately began to engage in sexually explicit conversation. An example of the early, sexually explicit conversation between ujahed86 and the UC is as follows:

ujahed86	U never did sex so it will be so tight
ujahed86	Watch porn video u will learn
ujahed86	They suck the dick and swallow the cum

7. After some similar initial exchanges over the social media application, the conversation switched to text messaging, during which ujahed86 used phone number XXX-XXX-8773 to communicate with the UC.

8. During the text communications, ujahed86 indicated that his name was actually "Jahed." The sexually explicit conversation quickly resumed when ujahed86 stated: "So u wanna try sucking the cock in ur mouth". Ujahed86 then indicated that he previously had sex with a minor, stating: "[w]hen I was 25 yrs old I did sex wit 15 yrs girl b4." Ujahed86 further indicated that he had engaged in sex with the minor "often" and that it occurred when he was living in New York City. Ujahed86 then asked the UC "U want to put dick inside ur pussy"?

9. As conversation continued, ujahed86 discussed meeting the UC for sex. Ujahed86 stated: "I am planning to try wit u but r u sure u wanna do it." Ujahed86 also stated:

ujahed86	How big is ur boobs
UC	Omg they r small
ujahed86	I could suck it
.....	
ujahed86	Sperm is something it come out from guys dick
.....	
ujahed86	When guys put sperm inside the puss y you might get pregnant

10. Ujahed86 asked the UC where she lived, and after learning that the UC was in Rochester, ujahed86 indicated that he lived in Cheektowaga and estimated that it would take him approximately one hour and 10 minutes to drive to Rochester to meet the child. Ujahed86 again began discussing his desire to meet with the UC and engage in sex, making comments such as: "I do sex at girl's apartment stairs or rooftop . . . Or sex inside the car."

11. Following the conversation about the potential meeting, ujahed86 indicated he was "scared" due to the "age" of the UC. In response, the UC stated: "Oh I'm swry I can't help I'm 13 I hate it also." Despite his belief that the UC was a minor, ujahed86 continued engaging in sexually explicit conversation, stating that he wanted the UC to perform "head" and "[t]hen try slowly into ur pussy to see it can go inside the." Ujahed86 discussed using "oil or lotion" as lubricant for his "dick" when he met the UC for sex. Ujahed86 stated "[i]t will be easy to put my dick inside ur pussy." Further communications ensued in which ujahed86 confirmed his belief that the UC was in fact a minor. For example, ujahed86 stated "I can't believe myself I am going to do 13 yrs old lol."

12. As conversation continued, ujahed86 made several attempts to induce the UC to produce child pornography by stating things such as: "[w]hen u get time I want both pic of pussy n boobs."

13. Ujahed86 again proceeded to discuss meeting UC for sex by stating "[w]hen u want me to come over" and "I like my dick get sucks n fuck . . . [h]aving sex at ur room is ok" and "[w]e will do quick sex."

14. Ujahed86 also talked about where he could meet with the UC by stating “[w]hen ur mom goes to work we can do at ur house.” Ujahed86 discussed making a video while engaging in sex with the UC by stating “U wanna do sex video” and “[i]f u want I could make short video on how I put my dick inside ur pussy.” As the UC inquired more into the making of the video, ujahed86 stated: “U could do on ur phone” and “U can watch or show to ur friends u did sex.”

15. As communications continued, ujahed86 stated the following:

ujahed86	I will be ur teacher
ujahed86	I will teach you on sex
UC	I promise to be a good student
ujahed86	K
ujahed86	When u will send me pictures
UC	Wut pics ??
ujahed86	Pussy n boobs
ujahed86	No rush when u r free then send it

16. Ujahed86 also directed the UC to hide and delete messages to prevent the UC’s mother from discovering them in the following messages:

ujahed86	Save my # as girl name so this way ur mom will not find out
ujahed86	Everytime we text delete it
ujahed86	I don’t want ur mom to kno abt us

17. On August 3, 2002, ujahed86 proceeded to send approximately fourteen images and one video to the UC depicting adult pornography.

18. On August 4, 2022, ujahed86 again asked the UC to take a photograph or a video depicting the UC engaged in sexually explicit conduct in violation of Title 18, United States Code, Section 2251(a) by stating: “[o]ne finger inside ur pussy and other hand take a picture or video.”

19. On August 5, 2022, ujahed86 again requested the UC to produce child pornography, stating: “[t]ake a picture of urself and try 1 finger inside ur pussy,” in violation of Title 18, United States Code, Section 2251(a).

20. On August 10, 2022, ujahed86 continued to discuss meeting the UC for sex, stating: “I want to pop ur cherry” and “No more virginity,” and explained to the UC how sexual intercourse works.

21. As of August 16, 2022, ujahed86 continued to engage in sexually explicit conversation with the UC, when the following conversation occurred:

ujahed86	Today I am kind of horny that why I ask I could do video chat with you
ujahed86	I can't do sex with my partner cuz she has period
ujahed86	Can u send me ur location again
ujahed86	Thursday Friday and Saturday that time she works
ujahed86	I am thinking to meet u

22. Further conversations ensued in which ujahed86 began making plans with the UC on how they might be able to meet in person. Ujahed86 indicated that he was willing to pay for the UC to travel to Buffalo to meet him, stating: “I am 100% will come n do sex.”

Ujahed86 stated that he would also be willing to meet the UC at her residence once he got out of work, stating “[m]y work done at 6:30 I might come to ur place like 8:30.”

23. As the conversation continued, ujahed86 made plans to meet with the UC on Thursday, August 18, 2022 at her home, stating “I hope I could make u feel good” and “Ur first time sex.” In relation to the August 18 meeting, ujahed86 stated the following:

ujahed86	If my dick can't fit on ur pussy we will try on mouth or ass
ujahed86	I will teach u everything
ujahed86	Pussy ass n mouth
ujahed86	Slowly on everything
ujahed86	Then I will make u a pornstar

24. A subpoena return from the social media application provided the following subscriber information for ujahed86:

First Name: Jahed
Last Name: Khan
Email: ujahed@ymail.com
Phone: XXXXXXXX8773
DOB: X/XX/87
Device Type: iPhone

25. A subpoena return from T-Mobile provided the following subscriber information for phone number XXX-XXX-8773:

JAHED UDDIN
1118 GLENMORE AVE
BROOKLYN NY 11208

26. New York State DMV records indicate that Mohammed J. Uddin's current address is 101 (redacted) PL, Buffalo, New York 14211.

27. During the communications, ujahed86 sent approximately 18 photographs of himself, which included his face. The male depicted in the photographs sent by ujahed86 appears to be the same male depicted in the DMV photographs for UDDIN.

28. UDDIN continued to plan to meet the UC on August 18, scheduling the meeting for 10:30 AM at the UC's home. UDDIN stated, "Send me ur full address"; "I will put on gps"; "I am promised tomorrow we will meet ok"; "I will lick n suck ur pussy." Later in the conversation, UDDIN asked the UC what time her mother left for work. The UC responded that her mother leaves at 9:00 AM. UDDIN then stated: "[s]o sex at ur room" and "[n]o condom sex ok," "[d]on't worry you will be safe."

29. On the morning of August 18, 2022, at approximately 7:44 AM, UDDIN texted the UC the following:

UDDIN	Hi
	Good
	Morning
UC	Good morning
UDDIN	R u ready to meet
UC	r u ready
UDDIN	Yes I am
UC	Me 2
UDDIN	Kool
	I need full address

30. The UC then provided an address in Brighton, NY, in the Western District of New York as her home address, and UDDIN indicated he would be there at 10:30 AM. During the conversations with UDDIN, the UC asked that UDDIN bring her candy as a gift.

31. At approximately 9:20 am, Agents conducting surveillance outside of UDDIN's suspected address at 101 (redacted) PL Buffalo, New York, observed UDDIN leave the residence and drive to a 7-Eleven convenience store, which he entered. After exiting the store, UDDIN was observed entering the NYS Thruway headed East toward Rochester, NY.

32. At approximately 10:35 am, UDDIN arrived at the Brighton, NY address provided by the UC in a Toyota Corolla that was registered to him, at which point he was taken into custody. On UDDIN's person, Agents located an iPhone 12 and a brown paper bag containing candy that was intended for the UC.

33. Uddin was transported to the FBI Rochester office and placed into an interview room, where he was advised of his *Miranda* rights. After indicating that he understood his rights, UDDIN agreed to waive his rights in order to speak with Agents. During the subsequent interview, UDDIN acknowledged meeting the UC on the social media application described above and admitted that he was the person who had engaged in the sexually explicit communications with the UC. UDDIN further stated that he used the Apple iPhone 12 located on his person to communicate with the UC. He confirmed his cell phone number to be XXX-XXX-8773.

34. UDDIN admitted that he was told that the UC was 13 years old, but at times claimed that he thought the UC might be lying. UDDIN admitted that he sent the message “[w]hen u get time I want both pic of pussy n boobs” and admitted that his purpose in traveling to Brighton was to have sex with the UC.

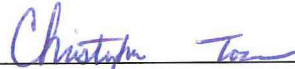
35. UDDIN admitted that he knew that it was wrong and illegal to have sex with a minor and that he should not have engaged in the interactions with the UC. UDDIN ultimately wrote an apology letter to the child’s mother.

36. The initial chats between the UC and UDDIN took place via the social media application referenced above. The application operates using a means and facility of interstate and foreign commerce, that is, the internet. UDDIN used an iPhone 12 to communicate with the UC. iPhones are not manufactured within New York State or within the United States. Accordingly, the iPhone that UDDIN used has travelled in and affecting interstate and foreign commerce.

37. Pursuant to New York State Penal Law Section 130.30(1), it is the felony crime of Rape in the Second Degree for a person over the age of eighteen to engage in sexual intercourse with a person less than fifteen. Pursuant to New York State Penal Law Section 130.45(1), it is the felony crime Criminal Sexual Act in the Second Degree for a person over the age of 18 to engage in oral sexual conduct with a person who is less than fifteen.

CONCLUSION

38. Based on the foregoing, I respectfully submit that there is probable cause to believe that MOHAMMED, using a means of interstate and foreign commerce, did knowingly attempt to persuade, induce and entice an individual who had not attained the age of 18, to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b), and did knowingly attempt to employ, use, persuade, induce and entice a minor to engage in, with the intent that such minor engage in, sexually explicit conduct for the purpose of producing a visual depiction of such conduct, in violation of Title 18, United States Code, Section 2251(a).


CHRISTOPHER TOSCANO
Task Force Officer
Federal Bureau of Investigation

Affidavit submitted electronically by email
in .pdf format. Oath administered, and contents
and signature, attested to me as true and accurate
telephonically pursuant to Fed. R. Crim. P. 4.1
and 4(d) on this 18th day of August, 2022


MARK W. PEDERSEN
UNITED STATES MAGISTRATE JUDGE